



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/687,774	10/13/2000	Daniel Garfinkel	4079.03US1	1066

27479 7590 01/16/2004

THE LAW OFFICES OF WILLIAM W. COCHRAN, LLC
3555 STANFORD ROAD
SUITE 230
FORT COLLINS, CO 80525

EXAMINER

LUDWIG, MATTHEW J

ART UNIT	PAPER NUMBER
----------	--------------

2178

DATE MAILED: 01/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/687,774

Applicant(s)

GARFINKEL ET AL.

Examiner

Matthew J. Ludwig

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 October 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications. Application filed 10/13/00.
2. Claims 1-20 are pending in the case. Claims 1, 5, and 13 are independent claims.

Specification

3. Specification is objected to because of the following informalities: Figure 5 is incorrectly referenced throughout the first paragraph of page 5. The Examiner respectfully notes the 'Session' menu bar appears when the specification references the 'Notes' section being chosen and each section of the 'Notes' menu bar illustrated. Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3, 5-10, and 13-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lui et al., USPN 6,487,569 filed (1/5/99).

In reference to independent claim 1, Lui teaches:

- The capture of an electronic note and the association of the electronic note with a folder of the associated project (compare to "captures an electronic note and associates it with a context"). See column 5, lines 20-25.

- The storage of electronic notes and associated projects in directories, which could be located in memory (compare to "store captured note and associated context for later retrieval"). See column 5, lines 25-30.

The reference does not explicitly disclose associating the electronic note with a *context*; however, the Examiner notes that (as presently claimed) the folders of the associated project taught by Lui provide a reasonable interpretation of the generic nature of the term *context*. The projects taught by Lui demonstrate a context for associating various notes created by the user. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the folder/project methods of Lui for associating notes and providing the user a definitive structure and organization of notes.

In reference to dependent claim 2, Lui teaches:

A note retrieval method for renaming the project provides a test to determine if the user requests a modification of the project name. See column 7, lines 11-29. The reference demonstrates a query condition for determining whether the user wishes to make a change. The reference retrieves the captured note and allows for the user to rename a project based on a query condition.

In reference to dependent claim 3, Lui teaches:

The editing of notes based on the request and retrieval of notes within a user interface. See column 8, lines 1-10. The notes index window demonstrates the employment of a note management module, which enables a user to modify a captured note within the limited resource-computing device.

In reference to independent claim 5 & 6, Lui teaches:

- The capture of an electronic note and the association of the electronic note with a folder of the associated project (compare to “captures an electronic note and associates it with a context”). See column 5, lines 20-25.

- The storage of electronic notes and associated projects in directories, which could be located in memory (compare to “store captured note and associated context for later retrieval”). See column 5, lines 25-30.

The reference does not explicitly disclose associating the electronic note with a *context*, however, the folders of the associated project provide a reasonable interpretation of the generic nature of the term *context*. The projects taught by Lui demonstrate a context for associating various notes created by the user. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the folder/project methods of Lui for associating notes and providing the user structure and organization of notes within projects.

In reference to dependent claim 7, Lui teaches:

A note retrieval method for renaming the project provides a test to determine if the user requests a modification of the project name. See column 7, lines 11-29. The reference demonstrates a query condition for determining whether the user wishes to make a change. The reference retrieves the captured note and allows for the user to rename a project based on a query condition.

In reference to dependent claim 8 & 9, Lui teaches:

The selection of notes which can be from different projects and/or removable file systems. The reference demonstrates the displaying of both the note as well as the project. See column 6, lines 17-29.

The reference does not explicitly disclose associating the electronic note with a *context*, however, the folders of the associated project provide a reasonable interpretation of the generic nature of the term *context*. The projects taught by Lui demonstrate a context for associating

Art Unit: 2178

various notes created by the user. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the folder/project methods of Lui for associating notes and providing the user structure and organization of notes within projects.

In reference to dependent claim 10, Lui teaches:

The user can also sort the notes on any column in either ascending or descending order. See column 6, lines 6-9. The reference does not explicitly disclose arranging notes in a hierarchical relationship; however, the note methods of Lui demonstrate altering methods and would have provided a proficient method of various arrangement techniques dependent on the user's criteria.

In reference to claims 13-18, the limitations recite similar subject matter to that of claims 1-10, and therefore are rejected under similar rationale.

Claims 4, 11, 12, 19, and 20 are rejected under 35 U.S.C 103(a) as being unpatentable over Lui as applied, and further in view of Zhu et al., USPN 6,654,032 (filed 12/23/99)

In reference to dependent claim 4, Lui teaches:

The ability to facilitate communication with other peripheral devices, including other computers. See column 4, lines 10-20. The reference does not explicitly teach a collaboration function which allows a plurality of collaboration session members to synchronously view a graphical user interface. However, Zhu teaches document sharing method, which application sharing method that allows each member of the application sharing session to view the screens and interact with the application. See column 2, lines 11-35. The reference demonstrates the utilization of a software application for user collaboration within a network environment. It

Art Unit: 2178

would have been obvious to one of ordinary skill in the art, having the teachings of Lui and Zhu before him at the time the invention was made, to modify the software application methods taught by Lui to include the collaboration environment of Zhu, because it would have provided the sharing of notes with multiple persons and given multiple users enhanced visual techniques within a limited resource computing device.

In reference to dependent claims 11, 12, 19, and 20, the limitations recite similar subject matter to that of dependent claim 4, and therefore are rejected under similar rationale.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Borwankar

USPN 6,594,693


filed (1/22/99)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Ludwig whose telephone number is 703-305-8043. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 703-308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

ML
January 8, 2004


STEPHEN S. HONG
PRIMARY EXAMINER